

THE COURTS.

UNITED STATES COMMISSIONER'S COURT.

Charge of Passing Counterfeit Money.

John Healy and H. G. Dittler were charged with having passed a counterfeit \$10 bill on Philip Ritter, keeper of a saloon at Poughkeepsie, on the 19th of February. The prisoners first had some drinks and cigars, and then called on Ritter, tendering a \$10 bill in payment and asked for change. Ritter held the bill till next morning, when he discovered it was bad. He marked it, and gave it to a public officer. In cross-examination, Ritter said that he never gave him good money for the bill. The other evidence offered to sustain the prosecution was that of traders in Poughkeepsie, who were asked to testify that they had passed counterfeit \$10 bills on the Flour City Bank of Rochester. The further hearing of the case was adjourned for a week.

Alleged Detention of a Treasury Agent.

Before Commissioner Osborn.

The case of George N. Carleton, lately in the employment of the United States Treasury Agent at Memphis, Tenn., who is charged with having embezzled money and property belonging to the government to the amount of half a million dollars, had been set down for hearing yesterday for the purpose of ascertaining the facts of the case. The Treasury agent, however, is expected from the Secretary of the Treasury at Washington.

SUPREME COURT—CIRCUIT—PART 2.

Important Warehousing Case.

David M. Ward vs. John J. Zacher.

This case complains that the defendant, at his warehouse in Broad street, eleven cases of goods, in perfect order and well secured, and that clothing to the amount of between \$800 and \$900 was abstracted therefrom. The plaintiff and other witnesses deposed to the fact of the goods having been properly secured, and to the defendant's admission that he had taken the goods from the warehouse and used them for his own purposes. The defendant, however, testified that he had taken the goods from the warehouse and used them for his own purposes. The court, after hearing the evidence, rendered a verdict in favor of the plaintiff.

SUPREME COURT—SPECIAL TERM.

Partnership Case—Dividing the Spoils of a Butcher's Shop—What the Spoils Amount To, and How they Accumulate from a Small Outlay.

Before Judge George G. Barnard.

Robert Coane vs. Patrick Malone and another. This case is a question of partnership. It appears that in 1862 the plaintiff obtained the appointment, from the late General Michael Corcoran, of sutler to the Sixth regiment of New York Volunteers, then being raised at Albany, and that the plaintiff having "the influence" of the late general, he was able to obtain the appointment. The plaintiff, however, was not a partner in the business, and the court rendered a verdict in favor of the defendant.

SUPREME COURT—CHAMBERS.

Motion for a Reference and Injunction—Nearly \$500,000 Involved.

Before Judge Ingraham.

The case of W. H. Burroughs vs. A. T. Stewart & Co. of this case, before the Court yesterday on a motion of the defendants for a reference to take account between the firm of A. T. Stewart & Co., and the estate of W. H. Burroughs, and for an injunction against the executors paying out any of the funds of the estate to the parties interested, under the will or otherwise, until this case was taken, without the permission of the Court. The case involves nearly \$500,000, and the court rendered a verdict in favor of the plaintiff.

SUPREME COURT.

TO THE EDITOR OF THE HERALD.

John D. O'Brien vs. W. H. Burroughs. My attention has been called to a report of this case in your issue of today, which, it allowed to remain uncorrected, would be calculated to do me very great injustice. I was not present in court yesterday, and had no witnesses there, and consequently do not know what may have been proven on the part of the plaintiff. I am, however, to say that the facts are not as reported. They are simply these:—W. H. Burroughs was a partner in the firm of A. T. Stewart & Co. in 1865, and was engaged, as I am now, in the same business in Brooklyn for years before that. They were partners in the firm of A. T. Stewart & Co. in 1865, and were engaged, as I am now, in the same business in Brooklyn for years before that. They were partners in the firm of A. T. Stewart & Co. in 1865, and were engaged, as I am now, in the same business in Brooklyn for years before that.

SUPERIOR COURT—TRIAL TERM.

A Disagreeable Case.

Before Justice Garvin.

Goodridge against the National Fire Insurance Company. The plaintiff sued for damages to a quantity of property stored in a bonded warehouse in Joralemon street, which was destroyed by fire on the 15th of November. The evidence shows that the deceased went on the up train to West Mount Vernon, and there, according to a common custom, jumped off the cars on the west side. The defendant's evidence is that at that time the up train was still moving, and the plaintiff's evidence is that it was stopped, but immediately after started again. The case is being tried on Wednesday next.

Homicide by a Railroad—The Usual Defense.

Elizabeth G. Gosselin, administratrix, vs. The New York and Harlem Railroad Company.

The plaintiff's husband was killed on the Harlem Railroad on the 15th of November. The evidence shows that the deceased went on the up train to West Mount Vernon, and there, according to a common custom, jumped off the cars on the west side. The defendant's evidence is that at that time the up train was still moving, and the plaintiff's evidence is that it was stopped, but immediately after started again. The case is being tried on Wednesday next.

A Shooting Case.

Before Justice Monell.

Reilly against Evans. The plaintiff brought action for damages against the defendant, who had charged with shooting him in the thigh with a pistol. The defendant set up that the plaintiff had fired first, and he only acted in self-defense. The case is being tried on Wednesday next.

COURT OF COMMON PLEAS—GENERAL TERM.

Costs in the Excise Cases—Illegal Action of the Board of Excise after Judge Cardozo's Decision.

Before Judges Daly, Brady and Cardozo.

Dolan vs. Shultz. In this and three hundred and six other cases the question was raised whether the plaintiffs, who had obtained injunctions and commenced actions against the Board of Excise, should be allowed to discontinue without paying the costs. The Court rendered an elaborate opinion, holding that the granting of costs lay in its discretion in equity cases, and allowing costs in the cases commenced before Judge Cardozo's decision, which was adverse to the law, and disallowing them in all subsequent cases. The case is being tried on Wednesday next.

law after a court of competent jurisdiction had pronounced it unconstitutional. After the decision of Judge Cardozo it is well known that some of the authorities continued to enforce the Excise law until the decision of Recorder Hackett, which was in harmony with that of Judge Cardozo. The parties threatened with the enforcement of the law, and who relied upon its constitutionality, commenced actions in this court for protection. They were entitled to a writ of habeas corpus, and the enforcement of the law until the decision rendered by this court, and if affirmed, until reversed by the Supreme Court. The enforcement of the law on the part of a public officer and the decision of a court of competent jurisdiction should be regarded as final until reversed upon the right of such officer to enforce the law. However, the view of the defendants' conduct is exceptional, it is not reasonably to be gained that the plaintiffs in the actions commenced after Judge Cardozo's decision, having relied upon the law as declared thereby, should not be compelled to pay the costs of litigation rendered necessary by the attempt of the defendants to apply a law declared to be valid. The law, however, is not to be applied to the cases brought subsequent to the decision of Judge Cardozo, as otherwise a charge of crime against the defendants in cases brought before that decision would be allowed.

MARINE COURT.

Action for Alleged False Imprisonment.

Before Judge Aker and Jury.

Peter O'Brien vs. John J. Zacher. This case was an action to recover \$500 for alleged false imprisonment, and the circumstances connected with it, as alleged, arose in the following manner:—The plaintiff is a locksmith and resides at 316 Third avenue. The defendant, Duffy, employed him to repair a lock and fix six keys. She having been indebted to him for some repairs before that time, he decided to deliver the lock and keys to her until she paid him. She applied to Duffy, who collected the money, and then refused to deliver the lock and keys to her until she paid him. The plaintiff, however, was not a partner in the business, and the court rendered a verdict in favor of the plaintiff.

COURT OF GENERAL SESSIONS.

Persecuting an Officer—A Paymaster in the Police.

Before Judge Russell.

The only case of particular interest disposed of in this court yesterday was an indictment against Alfred Taylor for obtaining the sum of \$500 from Thomas M. Taylor by false representation himself to be a member of the detective force. The statement of the complainant—who has been an officer in the navy for the last thirty years—was published in the Herald at the time of the arrest of the prisoner, which was made on the 12th of December. The case was taken up by the court yesterday, and the court rendered a verdict in favor of the defendant.

BROOKLYN LAW COURTS.

Before Judge Benedict.

The March term of both these courts was opened yesterday, Judge Benedict presiding, but no business of importance was transacted. City Court. Before Judge Reynolds. T. Floyd Thomas vs. John K. Pugh. The jury in this case, which was reported yesterday, returned a verdict for plaintiff in the sum of \$350. Mr. Thomas sued to recover for services rendered defendant in devising certain plans for buildings the latter contemplated erecting. Defendant refused to pay for the services, and the court rendered a verdict in favor of the plaintiff.

COURT OF COMMON PLEAS.

TO THE EDITOR OF THE HERALD.

John D. O'Brien vs. W. H. Burroughs. My attention has been called to a report of this case in your issue of today, which, it allowed to remain uncorrected, would be calculated to do me very great injustice. I was not present in court yesterday, and had no witnesses there, and consequently do not know what may have been proven on the part of the plaintiff. I am, however, to say that the facts are not as reported. They are simply these:—W. H. Burroughs was a partner in the firm of A. T. Stewart & Co. in 1865, and was engaged, as I am now, in the same business in Brooklyn for years before that. They were partners in the firm of A. T. Stewart & Co. in 1865, and were engaged, as I am now, in the same business in Brooklyn for years before that.

COURT CALENDAR—THIS DAY.

SUPREME COURT—CIRCUIT—PART 1. Nos. 1279, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 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2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 2681, 2682, 2683, 2684, 2685, 2686, 2687, 2688, 2689, 2690, 269